

GOVERNMENT  **SIKKIM** **GAZETTE**

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok

Saturday 12th December, 2009

No. 499

**OFFICE OF THE COMMISSION OF INQUIRY
GANGTOK-SIKKIM**

No.01/2009/SCIV(SSC)

Dated: 4.12.2009

NOTIFICATION

Whereas by notification No. 139/Home/2009 dated 16.11.2009 of the Home Department of the Government of Sikkim in exercise of the power vested under sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (herein after referred to as the "Act") read with Sec 5(1) of the Act, 1952 have appointed a Commission of Inquiry consisting of Hon'ble Shri Justice R.K Patra to enquire into and give his findings, in respect of following issues namely:-

- (i) to inquire allegations of issuance of forged or fake or unauthorized or illegal Sikkim Subject Certificate or Certificate of Identification and also prevalence of unauthorized or illegal trade license in the State,
 - (ii) suggest measures for avoiding and stopping such cases of forged or fake or unauthorized or illegal Sikkim Subject Certificate or Certificate of Identification and also prevalence of unauthorized or illegal trade license in the State,
 - (iii) any other matter connected with or incidental thereto as the Commission may consider appropriate including any suggestion thereof.

This notification is issued by the Commission under Rule 8(1) of Sikkim Commission of Inquiry Rules, 1979 (hereinafter referred to as the Rule) notifying all persons acquainted with the subject matter of the inquiry, referred to earlier, to furnish the Commission a statement on affidavit relating to such matter being duly sworn before any Magistrate/ Notary Public in the State of the Oath Commissioner of the Sikkim High Court so as to reach the Commission on or before 10th day of January, 2010. The affidavit shall be in English and filed in the Office of the Commission located in the Police Guest House near the HRD Department, Gangtok. The affidavit should clearly indicate as to which paragraphs of the affidavit are true to the knowledge of the deponent and which paragraphs of the affidavit are derived from the information received. Affidavits not properly verified will not be taken into consideration by the Commission. Along with the affidavit the documents, if any, on which reliance

is placed in support of the statement contained in the affidavit should also be filed. For information of all deponents concerned, the provisions contained in the Section 6 of the Act are extracted here under:-
" Sec. 6- Statements made by persons to the Commission.

No statement made by person in course of giving evidence before the Commission shall subject him to or be used against him in any civil or criminal proceeding except a prosecution for giving false evidence that the statement:-

- (a) Is made in reply to a question which he is required by the Commission to answer, or
- (b) Is relevant to the subject matter of the inquiry."

The inquiry will be made in the premises of Police Guest House near HRD Department, Gangtok and the sitting of the Commission will be held therein from 11.00 a.m onwards on working days. All sorts of filing be made before the Peshkar of the Commission during the working hour of each working day.

By order of the Commission.

**R.K. Purkayastha
Secretary to the Commission.**